

10 ROY A. DAY,
11 Plaintiff,
12 v.
13 GOOGLE INC., and LARRY PAGE,
14 Defendants.

Case No. 15-cv-01224 NC

**ORDER RE: PLAINTIFF ROY A.
DAY'S EMAILS TO COURT AND
REQUESTING PLAINTIFF TO
CEASE IMPROPER SUBMISSIONS
TO COURT**

16 On April 6, 2015, this Court dismissed plaintiff Roy A. Day's complaint without
17 leave to amend, finding that the federal court lacked subject matter jurisdiction to consider
18 his frivolous complaint about Google's technical support for a Google Nexus 9 tablet.
19 Dkt. No. 8. The Ninth Circuit Court of Appeals, after finding Day's appeal to be frivolous,
20 dismissed it for his failure to pay the docketing/filing fee. Dkt. Nos. 15, 17. To
21 summarize: the complaint and appeal have been dismissed and this case is closed.

22 The Court has received two emails from Mr. Day since his case was dismissed. The
23 emails are dated June 26 and June 30, 2015. The clerk of court will file the emails in this
24 case to preserve the record. The emails attach images of notices Mr. Day received from
25 the clerk's office for this Court advising "NOTICE OF PAYMENT DUE" for the filing
26 fees of his lawsuit and appeal. Given that the case has now been terminated, additional
27 notices are not anticipated.

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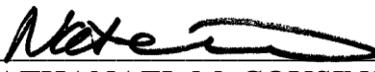
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1 Mr. Day's emails insist that he needs a reply, and given that he is representing
2 himself, the Court responds as follows. Requests for a court order must be made by a
3 written motion filed through the clerk's office. Fed. R. Civ. P. 7(b); N.D. Cal. Local Rule
4 7-1. The Court does not rule on requests made by email, especially emails about closed
5 cases.

6 As this case is closed and the appeal is dismissed, the Court orders that Mr. Day
7 cease emailing the Court about this case.

8 **IT IS SO ORDERED.**

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10 Dated: July 7, 2015


NATHANAEL M. COUSINS
United States Magistrate Judge

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United States District Court
Northern District of California